

Message Text

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PAGE 01 LISBON 05614 261130Z

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FM AMEMBASSY LISBON

TO SECSTATE WASHDC 1314

INFO AMEMBASSY LONDON

AMEMBASSY MADRID

AMEMBASSY PARIS

AMCONSUL LUANDA

AMCONSUL LOURENCO MARQUES

AMCONSUL OPORTO

AMCONSUL PONTA DELGADA

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EO 11652: N/A

TAGS: PINT, PO

SUBJ: FINAL PORTION OF ELECTORAL LAW PUBLISHED

REF: LISBON 4640

1. PART TWO (AND FINAL) SECTION OF ELECTORAL LAW WHICH WILL REGULATE ELECTIONS FOR CONSTITUENT ASSEMBLY HAS BEEN SIGNED INTO LAW BY PRESIDENT COSTA GOMES. ALTHOUGH A NUMBER OF DRAFTING CHANGES WERE MADE IN PART TWO, MAJOR FEATURES AS REPORTED IN REFTEL SURVIVED SCRUTINY IN CABINET AND COUNCIL OF STATE. FULL TEXT POUCHED INR AND EUR/IB.

2. ONLY SIGNIFICANT CHANGE FROM DRAFT LANGUAGE WAS THAT SECTION OF LAW WHICH WOULD HAVE REQUIRED A PARTY TO OBTAIN AT LEAST 5 PERCENT OF TOTAL VOTES CAST IN NATION IN ORDER TO HAVE ANY OF ITS VOTES COUNT. IN FACE OF WIDESPREAD CRITICISM OF THIS FEATURE OF DRAFT LAW BY REPRESENTATIVES OF SMALLER LIMITED OFFICIAL USE

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PARTIES (MONARCHISTS-PPM; CHRISTIAN DEMOCRATS-PDC; AND MYRIAD

FAR LEFT GROUPS) AS WELL AS BY LAWYERS WHO RIGHTLY NOTED THAT THIS PROVISION INVALIDATED CONCEPT OF PROPORTIONAL REPRESENTATION WHICH SUPPOSED TO GUIDE ELECTIONS, THIS FEATURE OMITTED FROM FINAL VERSION OF LAW. (COMMENT: IN ADDITION TO MONARCHISTS AND PDC, IT APPEARS TOAT MES, LUAR, AND MRPP WILL RUN CANDIDATES IN ELECTION. REGIONAL PARTIES MIGHT ALSO DECIDE TO PARTICIPATE AS WELL.)

3. OTHER ITEMS OF NOTE IN NEW LAW ARE THAT 3 MEMBERS OF AFM WILL BE INCLUDED IN ELECTORAL WATCHDOG GROUP KNOWN AS NATIONAL ELECTORAL COMMISSION. DRAFT LAW WOULD HAVE EXCLUDED MILITARY REPS FROM THIS ORGAN, WHICH WILL HAVE EXTENSIVE POWERS AND RESPONSIBILITY FOR ENSURING ELECTION FAIR. MILITARY UNDERSTANDABLY FELT ITS REPS SHOULD BE INVOLVED IN THIS ORGANIZATION'S WORK.

4. ACCORDING TO THIS LAW, FEB 10 IS DEADLINE FOR ANNOUNCEMENT BY GOP OF NUMBER OF DEPUTIES IN EACH DISTRICT FOR WHICH VARIOUS PARTIES WILL COMPETE. PARTIES WILL HAVE UNTIL FEB 15 TO PRESENT THEIR CANDIDATES.

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